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**Attorney for Plaintiff, HERBERT S. OLSON**

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

<b>HERBERT S. OLSON,</b>	)	<b>Case No. C-08-0670 JCS</b>
	)	
<b>Plaintiff,</b>	)	<b>STIPULATION OF DISMISSAL WITH</b>
<b>v.</b>	)	<b>PREJUDICE AND (Proposed) ORDER</b>
	)	
<b>AARON SCHMADEKE, ALYCE</b>	)	
<b>SCHMADEKE, dba COTTAGE COFFEE</b>	)	
<b>SHOP, BETTY J. OWENS, Trustee of the</b>	)	
<b>BETTY J. OWENS REVOCABLE TRUST</b>	)	
<b>OF 1994, THOMAS E. STITES, as Trustee</b>	)	
<b>of the THOMAS E. STITES Trust dated</b>	)	
<b>January 28, 1999, and DOES ONE to</b>	)	
<b>FIFTY, inclusive,</b>	)	
<b>Defendants.</b>		

Plaintiff **HERBERT S. OLSON** and Defendants **AARON SCHMADEKE, ALYCE SCHMADEKE, dba COTTAGE COFFEE SHOP, BETTY J. OWENS, Trustee of the BETTY J. OWENS REVOCABLE TRUST OF 1994, THOMAS E. STITES, as Trustee of the THOMAS E. STITES Trust dated January 28, 1999** (collectively "the Parties"), by and through their respective attorneys of record, hereby stipulate as follows:

1. The Parties have entered into a Confidential Settlement Agreement and General Release in this matter whereby they have resolved all claims and agreed to the dismissal of the above-captioned action with prejudice, each party to bear their own attorney fees and costs.

2. Accordingly, the Parties jointly request the Court to dismiss this action with prejudice.

**SINGLETON LAW GROUP**

Dated: April 4, 2007

/s/ Jason K. Singleton Law Group  
Jason K. Singleton,  
Richard E. Grabowski, Attorneys for  
Plaintiff, **HERBERT S. OLSON**

**ABBEY, WEITZENBERG, WARREN & EMERY PC**

Dated: April 4, 2007

/s/ David Berry  
David Berry, Attorney for Defendants  
**AARON SCHMADEKE, ALYCE SCHMADEKE, dba  
COTTAGE COFFEE SHOP, BETTY J. OWENS,  
Trustee of the BETTY J. OWENS REVOCABLE  
TRUST OF 1994, THOMAS E. STITES, as Trustee  
of the THOMAS E. STITES Trust dated January 28,  
1999**

**ORDER OF DISMISSAL WITH PREJUDICE**

Having considered the parties' Stipulation of Dismissal with Prejudice and for good cause appearing, it is hereby ORDERED:

1. The action OLSON vs. SCHMADEKE, et al., Case Number C-08-0670 JCS, is dismissed with prejudice with each party to bear his or her own attorneys fees and costs.

Dated: April 16, 2008

JOSEPH C. SPERO  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
JUDGE  
Judge Joseph C. Spero